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February 21, 2023

Via CM/ECF

Hon. John L. Sinatra, Jr.
United States District Judge
United States Courthouse
2 Niagara Square
Buffalo, NY 14202

Re: *Constantino-Gleason v. NYSOCA et al.*,
WDNY C.A. No. 6:21-cv-06327-JLS

Dear Judge Sinatra:

Pursuant to the Court's February 7, 2023 Text Order, a mediation status report is as follows. The parties held a mediation session on April 26, 2022 but no settlement offer was made by Defendants. A second mediation session was scheduled for August 22, 2022 but needed to be canceled by Defendants at the last minute. For the past six months, the mediator has attempted to secure a settlement offer from Defendants along with a rescheduled date, and recently advised the parties that he had not yet declared an impasse.

Plaintiff has now been informed that Defendants will be making no settlement offer. Therefore, mediation has been unsuccessful, and the parties are now at an impasse. Accordingly, the Court is respectfully requested to resolve the pending motion and permit the parties to proceed with this litigation.

Respectfully submitted,

Joseph A. DeTraglia

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cc: David J. Sleight, Esq.